REMARKS

Claims 1-37 are pending in the application and stand rejected as being unpatentable over the references Hollingsworth and the Workflow Management Coalition in view of U.S. Patent Application No. 2002/0055849 by Georgakopoulos. Applicant respectfully submits that at the very least, the cited combination of references does not disclose or suggest various elements of claims 1, 20 and 29, and that such references do not disclose or suggest the claimed inventions as a whole.

For instance, the combination of references does not disclose or suggest, e.g., *a data-triggered workflow engine which processes activity attributes and schedule rules to determine a recommended order in which the scheduled activities can be enacted*, as essentially recited in claim 1, or *computing a recommended order in which scheduled activities can be enacted based on activity specifications and a current execution state of the process instance*, as recited in claims 20 and 29.

Applicant respectfully submits that the Examiner's characterization of the *"optional activities"* of Georgakopoulos as disclosing or suggesting the claim feature of *"determining a recommended order in which scheduled activities can be enacted"* is improper as a matter of law and fact. In the Response to Arguments (pages 2-3) of the Final Office Action, the Examiner contends that the *"optional activities* that are scheduled ... are not deterministically scheduled, but rather are *recommended* to be accomplished ...". This contention is based on an improper interpretation of Georgakopoulos and, in any even, seemingly irrelevant to the claimed inventions.

To begin, on a fundamental level, the claimed invention do not specifically recite or claim a "recommended-type activity" *per se*, which is analogous to an "optional-type activity"

as contemplated by <u>Georgakopoulos</u>. In stark contrast, the claimed inventions recite *determining a recommended order in which the scheduled activities can be enacted.* There is a <u>fundamental distinction</u> between an "optional" or "recommended" activity (which is the crux of Examiner's argument) and *determining a recommended order in which all kinds of activities can be enacted,* as contemplated by the claimed inventions. In this regard, the Examiner's rejection is based on a clear misinterpretation and strained parsing of the claim language.

Moreover, <u>Georgakopoulos'</u> teaching of an "optional" activity does not teach or remotely suggest the claimed feature of "determining a recommended order in which scheduled activities can be enacted". <u>Georgakopoulos' teaches</u> that the "optional activity" is deterministically *enabled* for execution <u>only at a specific point in the workflow process</u>, and once enabled, the workflow participant is offered the very limited choice to execute the optional activity zero or more times. Indeed, <u>Georgakopoulos</u> teaches in Para. [0014] that option primitives can be combined in control flow patterns ... which *permits the workflow system to suggest one or more optional activities to its participants at a specific point in the workflow process execution ..."* . In other words, <u>Georgakopoulos</u> discloses a workflow process which can <u>suggest an optional activity at a specific point in workflow execution</u> (e.g., when an activity is completed), such as illustrated in FIGs. 3A/B, in which an optional activity B can be enabled only after activity S is performed in a workflow process P. The workflow participant does not have an option to execute an optional activity B at a different point in the workflow, but only after performance of activity S.

Moreover, the Examiner's contention that FIG. 3B discloses an optional activity B that is "recommended to be completed after activity S and before Activity A" is seemingly erroneous. There is no teaching or suggestion of providing a "recommendation" as to whether to perform

an optional activity B.   Georgakopoulos merely discloses that the decision when to start

activity A or activity B after activity S completes is typically made by the participant (see, Para

[0036]). In this regard, on a fundamental level, there appears to be no basis for Examiner's

characterization of Georgakopoulos as teaching a "recommended" activity. In any event,

Examiner's reliance on a "recommended" activity as a basis for the claimed rejection is

misplaced and irrelevant to the claimed inventions.

Overall, when the claim inventions are viewed as a whole, it is clear that the cited

combination of references does not disclose or suggest:

> ***determining which activities** associated with the process **instance are scheduled for
> enactment** based on activity specification, and **computing a recommended order** in
> which scheduled activities can be enacted based on activity specifications and a current
> execution state of the process instance.*

The phrase "computing a recommended order" is a step that applies to activities that

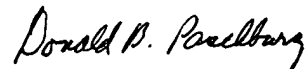were already determined to be scheduled for enactment by the "determining" step.

Georgakopolous's does not disclose even disclose the claimed step of determining which

activities are scheduled for enactment. For example, in Georgakopolous's FIG. 3B, optional

activity B is not scheduled for enactment until activity S completes and no longer scheduled for

enactment. In this regard, Georgakopolous's optional activity mechanism only makes a

difference at a point where the optional activity is ready to be enacted. At such point,

Georgakopolous's system provides the very restricted choice whether to execute it zero, one,

two, or more times. Moreover, the system makes no recommendation among these choices,

much less on whether to execute an optional activity before, concurrently with, or after other

activities that are also ready to be enacted. Again, optional activity B is not scheduled for

enactment until activity S completes and no longer scheduled for enactment. Optional activity B

also executes before activity A executes – an inhibitor primitive prevents optional activity B from being enacted once activity A begins to execute. In this regard, if the <u>Georgakopolous</u> system was computing a recommended order of scheduled activities, those activities could not include S or A.

Accordingly, for at least the above reasons, claims 1, 20 and 27 are patentable and non-obvious over the combination of <u>Hollingsworth</u>, <u>Workflow Management Coalition</u>, and <u>Georgakopoulos.</u> Moreover, all pending dependent claims are patentable over the cited combination at least by virtue of their dependence from respective base claims 1, 20 and 29.

Applicants respectfully request favorable reconsideration of the application as now presented. The Examiner is invited to contact the undersigned should he have any questions in this matter.

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